

PIKE AND SAN ISABEL NATIONAL FORESTS
Pikes Peak, South Park, South Platte, San Carlos, Salida, and Leadville Ranger Districts
Colorado

ORDER NO. 12-09

FOREST ORDER

Stage II Fire Restrictions

Pursuant to 16 U.S.C. 551 and 36 C.F.R. § 261.50(a) and (b), the following acts are prohibited on all National Forest System lands administered by the Pike and San Isabel National Forests located within Chaffee, Clear Creek, Custer, Douglas, El Paso, Fremont, Huerfano, Jefferson, Lake, Las Animas, Park, Pueblo, and Teller Counties in Colorado (the "Restricted Area") and on all roads and trails located within the Restricted Area (the "Restricted Roads and Trails") The Restricted Area is depicted on the attached map hereby incorporated into this order as Exhibit A. The purpose of this order is to protect public health and safety due to the current and anticipated elevated risk of wildfire.

PROHIBITIONS

- (1) Building, maintaining, attending or using a fire, campfire, charcoal grill, coal, wood-burning stove or shepherd's stove, including in developed campgrounds and picnic grounds. 36 CFR 261.52(a).

Exception: Petroleum fueled stoves, lanterns, or heating devices that include shut-off valves providing such devices meet the fire underwriter's specifications for safety, are permitted when used in an area at least three feet or more from flammable material such as grasses or pine needles.
- (2) Smoking, except within an enclosed vehicle or building, a developed recreation site, or while stopped in an area at least three (3) feet in diameter that is barren or cleared of all flammable material, or in areas posted by authorized Forest Officers. 36 CFR 261.52(d).
- (3) Welding, or operating an acetylene or other torch with open flame. 36 CFR 261.52(i).
- (4) Operating or using any internal combustion engine (e.g. chainsaw, generator, ATV) without a spark arresting device properly installed, maintained and in effective working order meeting either:
 - a) Department of Agriculture, Forest Service Standard 5100-1a; or
 - b) Appropriate Society of Automotive Engineers (SAE) recommended practice J335(b) and J350(a). 36 CFR 261.52(j)
- (5) Operating a chainsaw without an approved spark arrestor, chemical pressurized fire extinguisher (8 oz. capacity by weight or larger and kept with the operator) and a round point shovel with an overall length of at least 35 inches readily available for use. 36 CFR § 261.52(h)
- (6) Using an explosive. 36 CFR 261.52(b). This includes but is not limited to fuses or blasting caps, fireworks, rockets, exploding targets, and tracers or incendiary ammunition.
- (7) Possessing or using a motor vehicle off established roads, motorized trails or established parking areas, except when parking in an area devoid of vegetation within 10 feet of the vehicle. 36 CFR 261.56
- (8) Operating equipment powered by an internal or external combustion engine for felling, bucking, skidding, road building, restoration activities, and wood cutting during industrial operations or fire wood gathering is prohibited from 10:00 a.m. to 10:00 p.m. 36 CFR 261.52(h).

Pursuant to 36 CFR Section 261.50(e), the following persons are exempt from specified Prohibitions of this order:

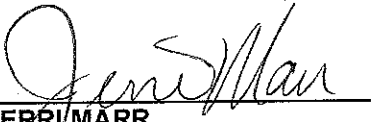
- (1) Persons with a Forest Service permit or contract may be eligible for an exemption from Prohibitions #1, #3, #4, #5, #6, #7 and #8. Any exemption must be applied for in writing, include an appropriate mitigation plan, and must be authorized in writing by the appropriate Forest Service official. The authorization must be in the physical possession of the person or persons undertaking the exempted activities.
- (2) Any Federal, State or local officer or member of an organized rescue or firefighting force in the performance of an official duty is exempt from Prohibitions #1, #3, #4, #5, #6, #7 and #8.
- (3) Resident owners and lessees of land within the restricted area are exempt from Prohibition (1) above, provided such fires are within a permanent dwelling and there is a spark arrestor in working order on the chimney.
- (4) Vehicles licensed for highway use and licensed or permitted off-highway vehicles may be operated on existing National Forest System roads and trails open to motorized use, and on temporary roads authorized under a contract or permit.
- (5) For commercial operations authorized under contract or permit: Upon the written approval of the District Ranger internal and external combustion engines may be operated on areas that are cleared of timber, brush and grass. District Rangers may require additional fire precautionary measures such as fire pumps, additional patrols, and so on when authorizing operations under this section.

Notice Regarding Exemptions: Holders of valid permits, leases and authorizations are on notice that when proceeding with activities that are authorized pursuant to these Exemptions, such holders are responsible for conducting authorized activities in a safe and prudent manner using extra precautions and are electing to proceed at their own risk. An exemption does not absolve an individual or organization from liability or responsibility for damage, injury or loss to the United States for any fire started while undertaking the exempted activity.

This order supersedes, rescinds and replaces order 12-06, issued June 14, 2012

This order will be in effect from the date it is signed, through December 31, 2012, or until rescinded, whichever event occurs first.

Done at Pueblo, Colorado, this 28th day of June, 2012.


JERRI MARR
Forest Supervisor
Pike and San Isabel National Forests
Cimarron and Comanche National Grasslands

Violation of these prohibitions is punishable as a Class B misdemeanor, by a fine of not more than \$5,000 for an individual or \$10,000 for a legal entity other than an individual, or imprisonment for not more than six (6) months, or both. Title 16 USC, Section 551.